

ORDINANCE NO. 4038

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO DESIGN REVIEW GUIDELINES FOR THE TOTEM LAKE NEIGHBORHOOD AND AMENDING SECTION 3.30.040 OF THE KIRKLAND MUNICIPAL CODE, (FILE NO. ZON04-00020).

WHEREAS, the City Council has received a recommendation from the Kirkland Planning Commission to create new Design Guidelines for the Totem Lake Neighborhood, as set forth in the report and recommendation of the Planning Commission dated December 15, 2005 and bearing Kirkland Department of Planning and Community Development File No. ZON04-00020; and

WHEREAS, prior to making the recommendation the Planning Commission, following notice as required by RCW 35A.63.070, on October 27, 2005 held a public hearing on the design guidelines proposals and considered the comments received at the hearing; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA), there has accompanied the legislative proposal and recommendation through the entire consideration process, a SEPA Addendum to Existing Environmental Documents issued by the responsible official pursuant to WAC 197-11-600; and

WHEREAS, in regular public meeting the City Council considered the environmental documents received from the responsible official, together with the report and recommendation of the Planning Commission.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Section 3.30.040 of the Kirkland Municipal Code, entitled "Design Guidelines Adopted by Reference", is amended to read as follows:

*3.30.040 Design guidelines adopted by reference.*

The Design Review Board in combination with the authority set forth in Chapter 142 of the Zoning Code shall use the following design guidelines documents to review development permits:

- a. The document entitled "Design Guidelines for Pedestrian Oriented Business Districts" bearing the signature of the mayor and the director of the department of planning and community development dated August 3, 2004, is adopted by reference as though fully set forth herein. The City Council shall consult with the Planning Commission prior to amending this document (Ord. 3957 § 1, 2004; Ord. 3932 § 1, 2004; Ord. 3890 § 1, 2003; Ord. 3683A § 1 (part), 1999)
- b. The document entitled "Design Guidelines for the Rose Hill Business District bearing the signature of the mayor and the director of the department of planning and community development dated January 3, 2006, is adopted by reference as though fully set forth herein. The City

Council shall consult with the Planning Commission prior to amending this document.

- c. The document entitled "Design Guidelines for the Totem Lake Neighborhood" bearing the signature of the mayor and the director of the department of planning and community development dated 3/21/06, is adopted by reference as though fully set forth herein. The City Council shall consult with the Planning Commission prior to amending this document.

Section 2. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Section 4. A complete copy of this ordinance, including Findings, Conclusions, and Recommendations adopted by reference, shall be certified by the City Clerk, who shall then forward the certified copy to the King County Department of Assessments.

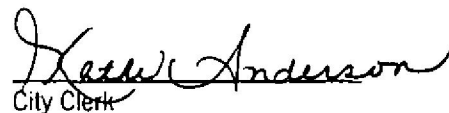
PASSED by majority vote of the Kirkland City Council in open meeting this 21st day of March, 2006.

SIGNED IN AUTHENTICATION THEREOF this 21st day of March, 2006.



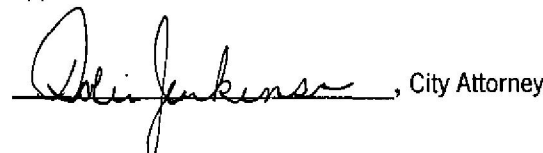
\_\_\_\_\_  
Mayor

Attest:



\_\_\_\_\_  
City Clerk

Approved as to Form:



\_\_\_\_\_, City Attorney